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SPECIAL COMMITTEE AGAINST APARTHEID

VERBATIM RECORD OF THE 638th MEETING

Held at Headquarters, New York,
on Wednesday, 21 March 1990, at 10.30 a.m.

Acting Chairman: Mr. OUDOVENKO (Ukrainian SSR)

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The meeting was called to order at 10.50 a.m.

SOLEMN MEETING IN OBSERVANCE OF THE INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

The CHAIRMAN: I declare open the 638th meeting of the Special Committee against Apartheid, a solemn meeting to observe the International Day for the Elimination of Racial Discrimination, which has been proclaimed by the General Assembly for 21 March.

We have present today many representatives and Ambassadors of Member States. I welcome everybody to this solemn meeting.

The Special Committee against Apartheid has convened this meeting in co-operation with the Committee for the Elimination of Racial Discrimination.

The International Day coincides this year with the thirtieth anniversary of the Sharpeville massacre in South Africa. On 21 March 1960 South African police nipped in the bud the hopes of innocent and peaceful demonstrators opposed to the infamous pass laws and in favour of peace, freedom and justice. Sixty-nine persons, including women and children, were slaughtered in cold blood, and many more were wounded.

To remember those victims this very day is most fitting and of special importance. Their sacrifice in the struggle against apartheid was not in vain. As neighbouring Namibia celebrates its independence, it stands as an example of the will and the commitment of its people to liberate itself from South African occupation and apartheid rule. The birth of a free, independent and non-racial society in Namibia is not only a historic victory of the Namibian people but also a sign of hope for the people of South Africa that their aspirations for a free, non-racial and democratic society will materialize soon.

(The Chairman)

While witnessing the end of a colonial era in southern Africa, the international community, which stood solidly behind the struggle for freedom and justice in Namibia, now looks optimistically forward to the speedy end of the last vestiges of apartheid in that region. The independence of Namibia and the elimination of apartheid have long been two fronts of the struggle. Success on one front, nevertheless, should not give cause to relent pressure on the other.

In this regard, I should like to pay a tribute to the heroic resistance of the Namibian people and the South West Africa People's Organization (SWAPO), which after a tortuous journey to freedom are finally celebrating their long-overdue independence. Our congratulations and warm greetings go to them on this historic event. May the people of South Africa and the international community be able to enjoy the fruits of their struggle for liberation, too, in the not too distant future.

As we all know, the United Nations has made a significant contribution to the victory of the Namibian people. The Secretary-General and the staff of the United Nations that served in the United Nations Transition Assistance Group (UNTAG) should be proud of their contributions. Their task was difficult and complex. It was well done.

Today we also mark the twenty-fifth anniversary of the establishment by the United Nations of the Committee for the Elimination of Racial Discrimination.

Because of the obvious interrelationship between the question of the elimination of racial discrimination and the eradication of apartheid in South Africa, the Special Committee against Apartheid and the Committee for the Elimination of Racial Discrimination have naturally shared over the years, and continue to share, an identity of purpose and a common resolve that is bringing them ever closer in their determined efforts at mobilizing international public opinion and government support for the elimination of racial discrimination and the

(The Chairman)

early eradication of apartheid and the advent of a free, democratic and non-racial society in South Africa.

The United Nations observes this International Day every year to renew its commitment to the struggle for the eradication of racial discrimination. To the international community, the abolition of apartheid is a major task in that struggle. Racial equality and freedom are principles which are enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights.

The legitimate aspiration for freedom, equality and justice for which these peaceful demonstrators fell victim on that fateful day not only won the universal and unequivocal support of the international community; it has added impetus to the global campaign for action to end apartheid and to the growth of international awareness of the tragic situation in South Africa.

More than ever today we understand that advances in the international struggle against racial prejudice, inequality and injustice depend much on the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among peoples and nations. It stands to reason that in South Africa there can be no peace while the overwhelming majority of its people are deliberately deprived of their human rights and excluded from the mainstream of the country's political, economic and social life.

This year's observance is taking place at a time punctuated by some seminal trends in international relations. There has been a resurgence of diplomatic activity on the international, regional and bilateral levels, inspiring confidence that at long last we have embarked on the road to peace in many conflict situations. The resort to the United Nations confirms the new and constructive approach in the utilization of the machinery of our Organization in the search for a more peaceful, just and safe world.

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(The Chairman)

Three months ago, the General Assembly at its special session adopted by consensus a historic Declaration on measures to be taken in order to create a favourable climate conducive to negotiations and on the process and the objectives of such negotiations towards an early eradication of apartheid. This Declaration reflected the world's support of the South African people in its effort to build a united, non-racial and democratic South Africa.

Since the adoption of the Declaration, several positive developments have taken place: President F. W. de Klerk announced on 2 February this year the lifting of the ban on political organizations, including the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania (PAC), the release of certain political prisoners, the suspension of the imposition of the death penalty and the relaxation of media restrictions.

On 11 February this year Nelson Mandela was released. His release was a significant step forward to ending apartheid through peaceful means.

The Special Committee welcomed these measures and reaffirmed that the appropriate climate for negotiations can be created only when the remaining measures, as set forth in the United Nations General Assembly Declaration on Apartheid and its Destructive Consequences in Southern Africa, are implemented.

In this connection, the Special Committee is also encouraged by the announcement that on 11 April talks will commence between the South African Government and the ANC with a view to discussing obstacles to the negotiating process. The Special Committee hopes that these talks will produce meaningful results conducive to the continuation of the dialogue leading to negotiations with the representatives of the black South African population.

(The Chairman)

As we can see, hope and the winds of change have finally reached South Africa. The De Klerk Government has shown some signs of realism, as evidenced by its recent measures. These encouraging steps should be followed by the release of all political prisoners, the return to their homes of those in exile, the lifting of the state of emergency, the removal of the troops from the townships, and the repeal of repressive legislation, such as the Internal Security Act. These are some of the remaining steps that Pretoria should implement promptly in order to begin genuine negotiations in the country.

In a meeting held on 9 March 1990 the Special Committee reviewed the situation in South Africa and the international response. The Special Committee came to the conclusion that at this stage it was entirely premature for any change of policy by the international community towards the apartheid régime. The relaxation of sanctions would, in the view of the Committee, undermine the process towards democratic change in South Africa. Sanctions remain the most effective and peaceful weapon to the international community for the elimination of apartheid. I should like to draw the Committee's attention in this connection to Mr. Mandela's words. He said recently in Stockholm:

"The help that we require is firstly the intensification of sanctions."

(The Chairman)

Indeed, the United Nations Declaration calls on Member States, among other things, "To step up all-round support for the opponents of apartheid" and "To use concerted and effective measures ... aimed at applying pressure to ensure a speedy end to apartheid" in that racist society.

This is not the time to relax the pressure. On the contrary, it is imperative as never before to maintain and sustain concerted pressure aimed at encouraging the creation of a climate conducive to national reconciliation and a negotiated settlement in South Africa.

On behalf of the Special Committee, I urge all Governments, parliamentarians, congressmen, anti-apartheid movements, non-governmental organizations, religious bodies, trade union organizations, the mass media, student and youth organizations, as well as all men and women of conscience in the world, to lend their renewed and unflinching support to the struggle against apartheid by mobilizing all possible action for a speedy implementation of the United Nations Declaration, which, I would like to emphasize, was adopted by consensus by all the States Members of the Organization.

At this stage, I have the honour and the pleasure to welcome the President of the Security Council to this solemn meeting. While the President of the General Assembly and the Secretary-General of the United Nations have joined the Namibian people on this special day, I wish also to welcome their representatives to the observance of the International Day.

I should also like to welcome other presiding officers of the United Nations bodies, the representatives of the national liberation movements of South Africa, and other guests who have joined us in today's solemn observance. I wish also to inform you that the Chairman of the Special Committee, Ambassador Gambari of Nigeria, is representing the Committee in the Namibian independence celebrations.

(The Chairman)

Before I call on the first speaker on this solemn occasion, I would like to invite you now to stand and observe a minute of silence in memory of the victims of the Sharpeville massacre and all other victims of apartheid, as well as the many valiant freedom fighters who have sacrificed their lives in the struggle against apartheid and racial discrimination.

The participants, standing, observed a minute of silence.

The CHAIRMAN: I now have the great honour and pleasure to invite the President of the Security Council, Mr. Abdalla Saleh Al-Ashtal, to address our solemn meeting.

Mr. AL-ASHTAL (Democratic Yemen), President of the Security Council (interpretation from Arabic): I should like at the outset to thank you, Mr. Chairman, and the other members of the Committee for inviting me, as President of the Security Council, to participate in the observance of the International Day for the Elimination of Racial Discrimination.

On this day, the thirtieth anniversary of the Sharpeville massacre, the members of the Security Council join with the rest of the international community in remembering all who are or have been the victims of racial discrimination, and not least those who have suffered from the policies of apartheid. The commemoration of the International Day this year takes on special importance as it coincides with the birth of the independent State of the Republic of Namibia and the realization of one of the most ardently sought goals of the people of Namibia, a goal that has been fully shared and supported by the international community, which has been committed to its attainment throughout the life of the United Nations.

The United Nations is founded on a firm belief in fundamental human rights and in the dignity and worth of the human person. Among the purposes enshrined in the Charter of the United Nations are the promotion and encouragement of respect for

(Mr. Al-Ashtal, President
of the Security Council)

human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

Since the Sharpeville massacre on 21 March 1960, the Security Council has repeatedly condemned the abhorrent policy of apartheid of the Government of South Africa, which institutionalizes racial discrimination and is an affront to human dignity, and has called upon the Government of South Africa to bring it to an end.

The Security Council has reaffirmed that the policy of apartheid is a crime against the conscience and dignity of mankind, that it is incompatible with the rights and dignity of man, the Charter of the United Nations and the Universal Declaration of Human Rights, and that it seriously disturbs international peace and security. The Council has also expressed its support for and solidarity with all those struggling for the elimination of apartheid and racial discrimination and all victims of violence and repression on the part of the Government of South Africa.

The Council has reaffirmed that only the total elimination of apartheid and the establishment in South Africa of a free, united and democratic society on the basis of universal suffrage can lead to a solution, and it has demanded the immediate eradication of apartheid as the necessary step towards the establishment of a non-racial democratic society based on self-determination and majority rule through the full and free exercise of universal suffrage by all the people in a united and non-fragmented South Africa.

It is to be hoped that the present auspicious international climate and recent positive developments in South Africa will lead to the abolition of apartheid. The members of the Council are firmly committed to doing all in their power, consonant with the Charter of the United Nations, to contribute to the enjoyment by all South Africans of the rights proclaimed in the Universal Declaration of Human Rights and

(Mr. Al-Ashtal, President of the Security Council)

join in encouraging the South African people to unite around the negotiating table and decide its own non-racial and democratic future.

The CHAIRMAN: I now invite Mr. Sotirios Mousouris, Assistant Secretary-General for the Centre against Apartheid, to read out the message from the Secretary-General, Mr. Javier Pérez de Cuéllar.

Mr. MOUSOURIS (Assistant Secretary-General for the Centre against Apartheid): The statement of the Secretary-General reads as follows:

"I welcome the opportunity to address a message on this special occasion commemorating the International Day for the Elimination of Racial Discrimination. Few practices are more repugnant to the values cherished by civilized man than those of racial discrimination. Since its inception the United Nations has contributed consistently to the elimination of such practices. It has worked with vigour to support social change to end them in all parts of the world.

(Mr. Mousouris)

"Today's commemoration coincides with Namibia's accession to independence as a State free from racial discrimination, a State whose constitutional foundations reflect the ideals of the United Nations. Our Organization can be justly proud of the part it has played in the process.

"In South Africa we welcome the release of Nelson Mandela and other South African national leaders who have served long terms of imprisonment for their steadfast opposition to apartheid. Their release has been accompanied by the lifting of restrictions on the activities of anti-apartheid organizations within South Africa, notably the African National Congress and the Pan Africanist Congress of Azania. While these encouraging developments have been welcomed, more remains to be done to enable South Africa to move towards the establishment of a non-racial society where people of all races can be assured of equal rights under the law.

"It is my hope that the South African Government will press ahead with the normalization of the political process so that a national dialogue on the country's political future can take place with the full participation of the acknowledged representatives of the people of South Africa. To that end I again urge the Government of South Africa not to delay lifting the state of emergency and to release all remaining political prisoners.

"In the absence of bitterness and distrust there can be momentum towards peace and understanding to unite the people of South Africa. The harnessing of their talents and energies to creative national and international endeavours can only be possible when the human worth of each individual is recognized.

"I would also urge the international community to lend its fullest support to all those who are engaged in building a new South Africa in line with the will of its people.

(Mr. Mousouris)

"Today, in the words of the preamble to the Charter of the United Nations, we

"'reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women'.

"United Nations bodies and specialized agencies, including the Committee on the Elimination of All Forms of Racial Discrimination, the Commission on Human Rights and the Special Committee against Apartheid, have endeavoured to be true to this commitment. Efforts of Member States, non-governmental organizations and citizens of good will have been no less important in our collective resolve."

The CHAIRMAN: I now have the honour and the pleasure to invite Mr. Lionel Alexander Hurst, Vice-President of the General Assembly, to read out a message from the President of the General Assembly, Major-General Joseph N. Garba.

Mr. HURST (Antigua and Barbuda), Vice-President of the General Assembly: The following is a message from the President of the General Assembly:

"This year's observance at United Nations Headquarters of the International Day for the Elimination of Racial Discrimination is being held at a crucial and encouraging juncture of developments in the world, and in particular in the southern African region. Events reflect, we hope, a final phase in the historic path of the international community's efforts to rid the world of the scourge of racism and racial discrimination.

"Today's observance is important in various ways. First, it marks the thirtieth anniversary of the brutal massacre of innocent, peaceful demonstrators at Sharpeville, South Africa. The legitimate aspirations to freedom, equality and justice of the black South African were thwarted by the

(Mr. Hurst, Vice-President
of the General Assembly)

bullets of injustice fired at Sharpeville. What those martyrs of Sharpeville were striving to achieve in 1960 were principles already enshrined in the Charter of the United Nations. They are principles that have over time won unequivocal and wholehearted support from the international community, principles that continue today to add impetus to the global campaign against racial discrimination and to the campaign against apartheid.

"Secondly, 25 years ago the United Nations established the Committee for the Elimination of Racial Discrimination. It has always been, since its inception, in the forefront of the international resolve to eliminate even the last vestige of racial discrimination.

"Finally, this day marks a historic event, a unique event - a great victory for the Namibian people and for the international community. Today we join the Namibian people in celebrating their long-overdue independence. We celebrate one more chapter in the victory book of the fight against racial discrimination. As is eloquently written in the preamble of the Constitution of the Republic of Namibia, its people have resolved to live in a democratic society based on, among other things,

> "'the right of the individual to life, liberty and the pursuit of happiness, regardless of race, colour, ethnic origin, sex or religion, creed or social or economic status'.

"The independence, the guaranteed self-determination that is today achieved by the Namibian people remains a goal for the oppressed people of South Africa. There is still a long way to go until a climate is established which is conducive to national reconciliation and a negotiated settlement in that country.

(Mr. Hurst, Vice-President of the General Assembly)

"Until apartheid, the most flagrant vestige of the practice of racial discrimination, has been eliminated, I am certain that the international community will maintain concerted and effective pressure on Pretoria and will continue to lend assistance and support to the oppressed people of South Africa as agreed on in the Declaration adopted last December at the sixteenth special session of the General Assembly. The day will certainly come when the black people of South Africa, like their sisters and brothers in Namibia, can point to a new constitution which guarantees all people their fundamental rights in a democratic and free society in which all persons live together in harmony and with equal opportunities: a South Africa without any domination by one race over the other. Sparing neither strength nor courage, the international community must continue to strive towards that noble aim, until the democratic transformation of South Africa has been won."

The CHAIRMAN: I now invite His Excellency Mr. Tom Obaleh Kargbo, Acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to make a statement.

Mr. KARGBO (Sierra Leone), Acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee of 24): I am deeply honoured to read out a statement on behalf of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. His statement reads as follows:

"In my capacity as Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I wish to express my deep appreciation to the Special Committee against Apartheid for this opportunity to participate in and to address this solemn meeting in observance of the International Day for the Elimination of Racial Discrimination.

"I would like to wish my brother and colleague Ambassador Ibrahim Agboola Gambari every success in his recently assumed functions as Chairman of this Special Committee. His able leadership will allow the Special Committee to continue to carry out its task with insight, perseverance and dedication.

"This year, 1990, is marked by three events of major importance: the independence of Namibia, which is being celebrated today; the commemoration of the thirtieth anniversary of the Sharpeville Massacre; and the commemoration of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

"These three events underscore the task bestowed upon the Special Committee of 24 and the Special Committee against Apartheid by the Charter and the General Assembly of the United Nations to defend the right of peoples everywhere to self-determination and to the enjoyment of the basic human rights, freedom and dignity.

(Mr. Karqbo, Actinq Chairman, Special Committee of 24)

"For almost three decades the two Special Committees, in upholdinq that common commitment, have spearheaded the actions of the international community in this framework. In 1960 the tragedy of Sharpeville spurred our determination and strenqthened our resolve to eliminate from the face of the earth the scourqes of racism and racial discrimination, which run contrary to the Charter of the United Nations and to the Universal Declaration of Human Riqhts.

"Today, 30 years later, we are fortunate to note that that determination and resolve have paid sizable returns. In effect, important developments are takinq place in South Africa which, we hope, will lead to an early and total eradication of all racial laws as well as to the immediate liftinq of all political and constitutional restrictions, such as the Group Areas Act and the Internal Security Act, bringing us one step closer to the total dismantling of apartheid.

"In this context permit me to express here our joy and satisfaction at the release of South Africa's heroic freedom fighter, the leader of the African National Congress of South Africa (ANC), Mr. Nelson Mandela. His release and his recent visit to Lusaka, Zambia, as well as the prior release of other political prisoners, carry with them the hope of further progress towards the repeal of all banninq and represssive laws in South Africa.

"It is indeed our hope that in a not-too-distant future South Africa will take steps leadinq to total racial, social, political and economic harmony and that all people will be qranted the riqht to vote and to travel to and reside in the places of their choice, as well as to express themselves freely, without any hindrances, threat or intimidation - in brief, to enjoy their basic human riqhts. In this context we are heartened by the recent measures,

(Mr. Karqbo, Actinq Chairman, Special Committee of 24)

administrative and leqal, to unban political and social orqanizations which, hitherto, had been suppressed.

"We believe that any neqotiation between the Pretoria réqime and the peoples of South Africa on a new constitutional order should be based on the followinq principles, amonq others: South Africa shall become a united, democratic and non-racial State; all its people shall enjov common and equal citizenship and nationality, reqardless of race, colour, sex or creed; all its people shall have the riqht to participate in the Government and administration of the country on the basis of a universal suffraqe exercised throuqh one person, one vote, under a common voters' role; all shall have the riqht to form and join any political partv of their choice, provided that this is not in furtherance of racism; all shall enjov universallv recoqnized human riqhts, freedoms and civil liberties, protected under an entrenched Bill of Riqhts; South Africa shall have a new leqal system that shall quarantee equalitv of all before the law; South Africa shall have an independent and non-racial judiciarv; there shall be created an economic order that shall promote and advance the well-beinq of all South Africans; a democratic South Africa shall respect the riqhts, sovereiqntv and territorial integritv of all countries and pursue a policv of peace, friendship and mutuallv beneficial co-operation with all peoples.

"We believe that aqreement on those principles should constitute the foundation for an internationallv acceptable solution that shall enable South Africa to take its riqhtful place as an equal partner amonq the African and world communitv of nations.

"But, however positive those developments in South Africa, we must bear in mind that our qoal is the total dismantlinq of apartheid in all its forms

(Mr. Karabo, Acting Chairman, Special Committee of 24)

and in all its manifestations. Thus, the international campaign against apartheid must not only be maintained; it must be intensified.

"As Mr. Nelson Mandela stated in his meeting with representatives of the diplomatic corps in South Africa last month, the sanctions against South Africa must not be lifted until the Pretoria régime engages in serious and genuine talks with the whole population of South Africa, leading to the dismantling of apartheid and the creation of a non-racial, unitary and fully democratic nation. We look forward to welcoming in our midst here at the United Nations the representatives of a Government freely chosen by all the peoples of South Africa.

"We are today celebrating the independence of Namibia, an independence richly deserved by a courageous and determined nation, under the leadership of the Chairaman of the South West Africa People's Organization (SWAPO) and President of the new State, Mr. Sam Nujoma. Under the able leadership of President Nujoma, Namibia will take its rightful place in the international brotherhood of nations, and it is with unconcealed pleasure that we will welcome him and the representatives of the new nation here at the United Nations in the near future.

"Our congratulations go to President Nujoma for the speed with which he has acted to ensure racial harmony among his people and to meet the challenges of the transition period.

"In the post-independence era our task will be far from over. Indeed, we must ensure that generous international economic and other assistance is channelled speedily to Namibia for reconstruction, rehabilitation and development in the new nation. We call on all peace-loving countries to offer Namibia all assistance and all help in tackling its outstanding problems.

(Mr. Karqbo, Actinq Chairman,
Special Committee of 24)

"This most positive outlook on southern Africa and the United Nations tremendous success in the field of decolonization over the past 30 vears must not lead us to forqet that our common commitment to defend the riqhts of peoples everywhere to self-determination and to enjoy the basic human riqhts, freedom and diqnitv, is far from comina to an end. Indeed, we are commemoratina this vear the thirtieth anniversarv of the Declaration on the Grantina of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV). The theme of this commemoration is, "Complete and total decolonization bv the year 2000". To this end, the General Assembly has proclaimed the decade of the 1990s the Decade for the Eradication of Colonialism.

"We must continue to join our efforts. The total eradication of apartheid is within reach - witness the promisina events that have unfolded of late in South Africa. The Special Committee of 24 and the Special Committee against Apartheid, whose common commitment it is to defend the inalienable riqhts of peoples everywhere to self-determination and freedom and their enjovment of basic human riqhts and human diqnitv, must remain viqilant.

"We must continue to invite all Governments and international orqanizations to associate themselves closely with our work so that this decade mav see the end of colonialism, apartheid and racial discrimination."

The CHAIRMAN: I now invite Mr. Jan Eliasson, Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, to make a statement.

Mr. ELIASSON (Sweden), Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa: I am grateful for the honour extended to me, as Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa, to address this meeting on the International Day for the Elimination of Racial Discrimination. We mark today the 1960 massacre at Sharpeville of innocent South Africans demonstrating in defence of their fundamental human rights and in defiance of the system of apartheid. The international community has not forgotten the victims of that tragedy. In paying tribute to them today we renew our pledge to uphold the cause for which they made their supreme sacrifice.

Today also marks another important event - indeed a historic achievement. After decades of occupation, the people of Namibia have at last won their independence, guided successfully to this goal by the United Nations. The struggle for majority rule in southern Africa has today scored a long-awaited victory in Namibia. And, what is more, it has provided South Africans and the rest of the world with a powerful demonstration of peaceful, democratic and negotiated change.

In South Africa, too, the winds of change have gained strength. The united struggle of the opponents of apartheid, together with international pressure, has produced results. In the past months we have seen new openings and new possibilities. There is a growing hope that at last genuine change can be achieved by peaceful means. The South African Government has recognized the need for a negotiated settlement. It has lifted the ban on political organizations and released Nelson Mandela and some of the other political prisoners.

However, it has not yet shown itself ready to abolish the underpinnings of the apartheid system. The South African Government must now take the remaining steps so

(Mr. Eliasson, Chairman, Committee of Trustees of the United Nations Trust Fund for South Africa)

that negotiations to create a democratic, non-racist and united South Africa can begin. The measures to be taken are spelled out in the Declaration on South Africa adopted by an important consensus last December at a special session of the General Assembly. The state of emergency should be lifted, security legislation should be repealed, all political prisoners should be released and all political exiles should be able to return safely home.

Until those steps are taken, effective international pressure on South Africa must be maintained. We still have a winding and cumbersome road ahead of us.

No doubt there have been positive developments in South Africa. Violence, however, has not subsided. There are daily reports of unrest, of clashes in townships and in the so-called homelands and of the use of force by the South African security police, leaving, very recently, several demonstrators dead and hundreds of people injured. Over 300 political prisoners are still languishing on Robben Island. Thousands are still detained in other South African gaols.

There are currently at least 300 political trials scheduled or in progress, with over 1,300 defendants. Until political trials cease and amnesties are granted, South Africa's approximately 15,000 exiles cannot return home without fear. Although the Government has unbanned anti-apartheid organizations, political activity is still restricted by the state of emergency and the Internal Security Act.

So as long as the pillars of apartheid remain, as long as the state of emergency and security legislation are in force, as long as troops remain in the townships, the threat of impending and general violence and political oppression is painfully real.

(Mr. Eliasson, Chairman, Committee of Trustees of the United Nations Trust Fund for South Africa)

Thus, while the main concern of the international community is focused on ways to bring about a political settlement in South Africa - and rightly so - we should and must underscore the significance of humanitarian assistance to the victims of apartheid. With the current momentum towards a peaceful settlement, humanitarian efforts will assume an even greater significance. Such assistance is not a substitute for, but a complement to, political, diplomatic, economic and other urgent action.

At this juncture it is therefore crucial that generous contributions should be made to sustain the humanitarian, legal and relief assistance provided by the Trust Fund for South Africa. The Secretary-General has recently appealed to the Member States for contributions to the Fund.

On behalf of the Committee of Trustees I join in this appeal and urge all Governments, organizations and individuals seriously to consider today's special circumstances. We must make every effort to live up to the expectations of the South African people and to the expectations of the many victims of apartheid. It is important that we do not resort to wishful thinking or engage in over-optimism, in view of the current developments. We have to deal with the reality as it is now. We must not fail the many people in need in South Africa today.

The CHAIRMAN: I now invite Mr. George O. Lamptey, Chairman of the Committee on the Elimination of Racial Discrimination, which is a co-sponsor of this meeting, to make a statement.

As other speakers and I myself have stated earlier, this Day also marks the twenty-fifth anniversary of the Committee Mr. Lamptey is chairing. It is therefore an honour and a pleasure to have him here today to participate in our solemn meeting.

Mr. LAMPTEY (Ghana), Chairman of the Committee on the Elimination of Racial Discrimination: I am both honoured and appreciative of this opportunity to join you and to share some thoughts with you. My situation would have been more satisfying had it been possible for all the serving members of the Committee on the Elimination of Racial Discrimination, on whose behalf I speak, and my distinguished predecessors, to be present on this solemn occasion as envisaged by our Committee and endorsed by the General Assembly and the meeting of the States parties to the Convention on the Elimination of All Forms of Racial Discrimination. Alas, circumstances beyond the control of the Committee have frustrated our intentions.

The International Day for the Elimination of Racial Discrimination this year coincides with the thirtieth anniversary of the tragedy that was the massacre at Sharpeville. This period also coincides with the twentieth anniversary of the coming into being of the first international mechanism for the monitoring world-wide of the observance of a class of human rights - the Committee on the Elimination of Racial Discrimination.

(Mr. Lamptey, Chairman, Committee on the Elimination of Racial Discrimination)

Here let me correct a wrong impression. The International Convention on the Elimination of All Forms of Racial Discrimination was adopted by the General Assembly during its twentieth session in 1965. The Committee started its operations five years later.

Thus it was that the Committee had wished to join you, Sir, in this Day's observance; thus it was that it had contemplated a session here in New York at this time, to take stock of what had been achieved in 20 years and to exchange ideas on what needed to be done in the years ahead in the continuing struggle against racism and racial discrimination. It is an indictment of this great Organization and the international community as a whole that financial constraints have made this impossible.

It would be tragic if the failure of some to meet their financial responsibilities were allowed to cripple a mechanism that has been the precursor of all others in the field of human rights, a body that has proved its mettle in two decades of service, and that has contributed a measure to the combating of racial discrimination in all the regions of the world.

We meet today in very auspicious circumstances. Today part of the battle is ended. The long struggle of the people of Namibia for freedom, independence and equality has been won and new vistas are open for President Sam Nujoma and his valiant compatriots to create that non-racial society hinged on tolerance that had been the objective of the South West Africa People's Organization and the freedom fighters of Namibia for so long.

We meet at a time when Nelson Mandela is no longer incarcerated, the fight for his release having been won, and with it the unleashing of an irreversible tide which will sweep away the foundations of apartheid, and bring in its wake a new society in which all are equal and in which freedom and justice reign.

(Mr. Lamptey, Chairman, Committee on the Elimination of Racial Discrimination)

All of us can be proud of our contribution to the positive outcome in Namibia and the relative advance in the bastion of apartheid. But let us be realistic in our assessment of the situation in southern Africa. Let us acknowledge that the struggle is far from over; that we might witness an acceleration of resistance by the die-hards of apartheid; that there could be an increasing and diabolical attempt to manipulate the blacks of South Africa and engender conflict between political and ethnic groups, aimed at dividing to rule. Let us be humbled by the thought that the bloodshed that we witness even today might turn out to be the pattern in the immediate future.

Acknowledging, then, that the climax of the battle for freedom, democracy and equality is yet to come in South Africa, let us be firm in our resolve to support materially, diplomatically and morally the long-suffering people of South Africa; let us not take one step backwards because of a deceptive climate; let us, rather, be shoulder to shoulder with Nelson Mandela and his compatriots as they march steadily to their inevitable destiny of real freedom.

Mr. Chairman, your Committee's task is to hasten the eradication of apartheid. The signs are propitious that sooner rather than later this objective will be realized. The Committee on the Elimination of Racial Discrimination, which has played its part in this struggle, looks forward to the day when this scourge, this pernicious evil, meets its demise.

But beyond apartheid lies the tragedy of racism and racial discrimination in our world. From every corner of our globe racism and racial discrimination in various forms are manifested. Forty-five years after the world pronounced in the Charter of the United Nations its revulsion at the racial excesses that constituted an essential element in the tragedy of the Second World War, we continue to see

(Mr. Lamptey, Chairman, Committee on the Elimination of Racial Discrimination)

variants of racism and racial discrimination afflicting the peoples of the United Nations. Cloaked in various forms, this disease springs up sometimes in the most surprising areas, and Governments and communities often find themselves pressured to compromise with a basic evil.

It is clear that the struggle to eliminate racial discrimination in all its forms and manifestations will be a long and enduring one. It may last through our lifetimes and be taken up by our children and theirs. It is an everlasting commitment that cannot be shirked.

This, then, is the reason why the Committee on the Elimination of Racial Discrimination must be supported and strengthened. Pacta sunt servanda - treaty obligations must be fulfilled by all. The United Nations, under whose aegis the International Convention on the Elimination of All Forms of Racial Discrimination was elaborated, adopted and ratified, must see its responsibility as going beyond the treaty to the prescriptions on human rights in the Charter, and thus see to it that the Committee on the Elimination of Racial Discrimination is not undermined or crippled.

It has been obvious to some of us for some time that the sustenance and efficacy of the Committee on the Elimination of Racial Discrimination, as with other human rights monitoring bodies, would be guaranteed and enhanced if financing now came from the regular budget of the United Nations. I repeat this call on this solemn occasion.

In the interim, this meeting might wish to endorse resolution 1990/25, adopted by the Commission on Human Rights at its 42nd meeting on 27 February 1990, and in particular its operative paragraphs 8-10, in which it:

(Mr. Lamptey, Chairman, Committee on the Elimination of Racial Discrimination)

"Notes that the General Assembly, in so far as any of the treaty bodies may be experiencing financial difficulties, could consider alleviating these difficulties, inter alia, by the temporary allocation of necessary funds by way of advances out of the United Nations regular budget which will be reimbursed from the contributions received within the same budget year, a procedure to be repeated until such time as a permanent solution to such difficulties can be implemented;

"Emphasizes that any temporary financial assistance from the United Nations regular budget should be provided without prejudice to the duty of States parties to United Nations human rights instruments to meet all their financial obligations pursuant to such instruments;

(Mr. Lamptey, Chairman, Committee on the Elimination of Racial Discrimination)

"Recommends that the Secretary-General seek to obtain, at the earliest opportunity, the concurrence of States Parties to the Convention on the Elimination of Racial Discrimination to the establishment of a 'contingency reserve fund' made up of that portion of State-Party payments received prior to 31 December each year which are over-assessments for the Committee on the Elimination of Racial Discrimination for the elapsed year (normally credited against the contribution of States Parties) provided that the agreement of a State Party must first be obtained before its own over-assessment is paid into this fund, with the fund to be used to finance, on a contingency basis, up to two meetings of the Committee on the Elimination of Racial Discrimination in a following year, for which States payments have not been received in that calendar year, with the contingency fund to be reimbursed in full once payments by these States are received ...".

If we meet under auspicious circumstances today, it is partly because the worthy enterprise in which we have been engaged for so long is now yielding some fruits. It is beholden to all to ensure that our progress is sustained. We can then look forward to the day when a free and non-racial South Africa will join the International Convention on the Elimination of All Forms of Racial Discrimination and when the whites who have for so long dominated and mistreated their fellow black countrymen and women on the basis of race will find in the Convention's provisions added security on the international level that they in turn will not be subject to bestial treatment by the black majority. When that day dawns, we shall then be able truly to say that the martyred of Sharpeville did not pay the supreme sacrifice in vain.

The CHAIRMAN: I thank Mr. Lamptey, who is Ambassador of Ghana to Italy, for his statement in his capacity as Chairman of the Committee on the Elimination of Racial Discrimination, and on behalf of the Special Committee I should again like to wish that Committee every success in its noble and very important activities.

I now invite Mr. Jan Martenson, Under-Secretary-General for Human Rights, to make a statement. Mr. Martenson is Head of the Centre for Human Rights in Geneva and will address this meeting in his capacity as Co-ordinator of the Secretary-General for Activities related to the Second Decade against Racial Discrimination.

Mr. MARTENSON (Under-Secretary-General for Human Rights): Today we mark the thirtieth anniversary of the massacre of Sharpeville, in which police killed and wounded peaceful demonstrators staging a protest, and we also honour the memory of other freedom fighters who died in the continuing struggle against apartheid and racial discrimination.

Today, however, we also have reason to celebrate, as this year the observance of the International Day for the Elimination of Racial Discrimination coincides with the day on which Namibia becomes independent. Over the years the endeavours of the United Nations to explore whatever avenues have been opened towards a peaceful settlement of the Namibian question have gone together with the knowledge that the racial discrimination entrenched in the system of apartheid grossly violates one of the basic principles of the Charter of the United Nations.

Human rights, peace and fruitful co-operation among nations are ultimately one and the same branch on the same mighty tree. This was the vision which inspired the founders of the United Nations, those who were determined to secure for future

(Mr. Martenson)

generations a world of hope and justice. Amongst the pre-eminent principles of the Charter we find the determination "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person" to be realized for all without distinction as to race, sex, language or religion.

Today more than ever before we find this vision vindicated by history. We have witnessed a heartening improvement in the political climate at the global level. Recent events have opened new avenues for diplomatic and political action and increased the aspirations of the peoples of the world for human rights, freedom and justice. These developments are the result of many factors, not the least of which is a general improvement in the relations between the great Powers and a distinct shift from confrontation to co-operation. Changes of that magnitude could not, however, have been achieved without the patient efforts of the international community within the framework of the United Nations system.

Undoubtedly, the independence of Namibia furnishes one of the most graphic illustrations of this positive trend.

In this situation, where ideological and political divisions - which had separated peoples over decades - are falling, the global campaign against racism, racial discrimination and apartheid has entered into a new phase. Currents of constructive change in international life are bringing about a better understanding of the rights of the individual and for the individual, those rights that had long remained the subject of fruitless and contentious polemics. The realization seems to have dawned at long last that the days of racial supremacy and prejudice are over. In the region of southern Africa developments - including the release of Nelson Mandela after 27 years in prison - give us grounds for guarded optimism that peaceful and fundamental change is now possible, that the demolition of the apartheid system and its replacement with a non-racist and democratic State, one in which all its people will enjoy common and equal citizenship and nationality,

(Mr. Martenson)

regardless of race, colour, sex or creed, will eventually be attained. But we have to be realistic and vigilant. There is still a long way to go.

I need hardly say in this context that the various international legal instruments on human rights are and will remain germane to any consideration of the issue at the international level. At this time, we commemorate the twenty-fifth anniversary of the proclamation by the General Assembly of the International Convention on the Elimination of All Forms of Racial Discrimination, which, as the Committee is aware, is the most widely accepted human rights instrument adopted under the auspices of the United Nations. It is the first legally binding instrument which obliges States Parties to condemn racial discrimination, segregation and apartheid and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and of promoting understanding among all races, and to prevent, prohibit and eradicate all practices of this nature.

The year 1990 also marks the commemoration of the activities of the Committee on the Elimination of Racial Discrimination established under this international convention, the first treaty-monitoring body in the framework of the United Nations. And I wish to take this opportunity to extend a warm welcome to the Chairman of the Committee, Mr. George Lamptey. The importance of the contributions of this Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin, has been inestimable. I sincerely hope and share the wish that the serious financial situation of the Committee will find a constructive solution in order for it to be in a position to carry out its mandate to the fullest extent.

(Mr. Martenson)

While we stand today at a truly historic and creative moment in international life, it does not lessen the need to maintain that vigilance which is the watchword of human rights and of justice. The violations of human rights and fundamental freedoms still taking place in different areas of the world, including South Africa, constitute one of the main causes of unrest and potential conflict. Even when they do not have immediate and direct international repercussions, their very occurrence points to the fragility of the present structure of peace.

(Mr. Martenson)

The human rights record of our age is stained by summary executions and arrests, by disappearances and widespread torture, by the killings of unarmed demonstrators, and detention for reasons of belief and conviction, by hunger, disease and human misery. Those assaults upon the most fundamental notions of justice and human dignity cannot leave us indifferent. They are assaults upon each and every one of us.

Today there are numerous mechanisms at the disposal of the United Nations investigating and subsequently reporting on the violations of human rights existing in certain countries, certain territories or certain situations. But more needs to be done, including under the United Nations Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, in order to attain the objectives laid down therein.

The elimination of apartheid is one of the prime objectives of the Second Decade against Racism and Racial Discrimination and one to which I attach the highest importance in our work in this context. Let me assure the Special Committee that we will indeed continue our best efforts - above all a partnership with the other members of the United Nations family and, indeed, together with all concerned members of the international community - until human rights and dignity are a universal reality for all the peoples of South Africa.

The recognition by the founders of the United Nations and the authors of the Universal Declaration of Human Rights that peace and human rights are interdependent has today acquired a new importance. As we rise to meet the new challenges and opportunities, we have to ensure that practice conforms with principle. If human rights are to be respected, the democratic process currently taking place throughout the world must produce real democratic institutions and Governments that respect the internationally accepted human rights norms and

(Mr. Martenson)

standards. Human rights will never be granted until they come to permeate the very political ethos of a society.

It is for those reasons that we must encourage States to hasten that trend and promote further dialogue. At the same time, Governments that are seeking ways to meet their citizens' human rights aspirations must be able to count upon international support. To serve these requirements, our human rights programme gives high priority to providing advisory services and technical assistance. It is our objective to promote and construct, in that manner and with the help of our World Campaign for Human Rights, a truly universal culture of human rights, a culture that will come to permeate all societies and all regions.

Human dignity, worth and well-being are at the heart of the experiment in international co-operation that is the United Nations. Despite the continuing violations to which we have borne witness over the last four decades, the progress made in the area of human rights has been remarkable, in both qualitative and quantitative terms. We must today consolidate that progress, with the assistance of States and all individuals who are aware of the fact that the advent of a peaceful world will not be achieved without respect for human rights and an end to their denial, the politics of discrimination.

The history of the United Nations and the contemporary struggle for human rights have unfolded together. Thus, in honouring the memory of all the freedom fighters who died in the combat against racism, racial discrimination and segregation and apartheid, we commit ourselves again to the principles and objectives of our Organization. Let us strive together for their universal realization, thus assuring for our children an international human community securely founded upon the pillars of human rights, justice, equality and peace.

The CHAIRMAN: I now invite Mr. Zehdi Labib Terzi, Permanent Observer of Palestine to the United Nations, to make a statement.

Mr. TERZI (Palestine): The fact that the Special Committee against Apartheid has decided to invite the Permanent Observer of Palestine to participate in and to address this solemn meeting is of great relevance and significance to us. It underlines the linkage between the joint struggle of our peoples against the joint malice and evil of those who are causing us so much suffering and so much bloodshed.

We observe this day the victory of peoples over the forces of darkness, the victory of peoples over the evil of racism, the victory of peoples over the crime of apartheid and all other forms of racial discrimination. True, in our struggle we have paid and are still paying a high price in blood and human suffering, the suffering of the victims of colonialism, apartheid and all other forms of racism and racial discrimination. We recall here, after 30 years, the massacre of non-whites in Sharpeville. As Palestinians, we will always recall the massacre of Palestinian Semites in Palestine, in Deir Yassin and other places. We still suffer from the practices and policies of racial discrimination. One such form is the institutionalized racism and racial discrimination in the policies and practices of the occupying Power, Israel, against my people in the occupied territories.

Yet, with spring we see some brightness. We see today the fruits of the struggle of the Namibian people. So we may perhaps also celebrate the victory of the Namibian people against colonial rule, against those who betrayed the mandate that was given to them. In this context, we praise the struggle of the Namibian people.

But we cannot forget that the United Nations has also helped to a great extent in the realization of what the Namibian people is achieving. The international community had a role and it played that role very fruitfully and positively in the struggle of the Namibian people.

(Mr. Terzi, Palestine)

Today we also join in celebrating the release of our comrade-in-arms, a freedom fighter, Nelson Mandela, the symbol of the struggle of the South African people to achieve and exercise its inalienable rights to life, to peace and to self-determination. Yes, the process has begun, and it will continue, because we are sure that the heroic peoples of South Africa will not relent until they have achieved their right and their aim to live in a democratic country, in a democratic South Africa.

We cannot forget Mr. Mandela's beautiful words:

"I have often heard the expression that history is not made by kings and generals but by the masses of the people. It is the masses of the people of South Africa, of all population groups, it is the people of Zambia, it is the people of the front-line States, it is the people of the world who are today making history. And that is why today we feel that, in the course of our struggle, we are on the verge of a breakthrough."

But Mr. Mandela, our comrade-in-arms and freedom fighter, did not let the occasion pass when turning to President Arafat to greet him. He said:

"Mr. Arafat is fighting against a unique form of colonialism, and we wish him success in his struggle".

(Mr. Terzi, Palestine)

On this day we assure the international community and our comrades-in-arms and fellow freedom-fighters in South Africa that our people, through their glorious intifadah, will continue their struggle in a peaceful way until we get to the negotiating table, under the auspices of the United Nations, to achieve peace. It has been proven beyond any doubt that peaceful means can achieve much more than cannon can; the stones in the hands of the children in the streets of Jerusalem have taught the occupying Power that its guns, heavy artillery and planes are of no significance against the determination of our people.

The policies of the apartheid régime, intended to fragment the people, have failed. It has been reported, and we have noted, that all those Transkeis and Ciskeis and bantustans, created to fragment the people of South Africa, have been tumbling down. Mr. Mandela came out with one of the most magnanimous of expressions, after 27 years in prison, when he referred to some of those people and said, "Nothing would please us more than that they should join us". The response from all the people of South Africa is coming through.

Then there is the role of the international community. The apartheid régime would not have succumbed only because the bloodshed had evoked pity in it. It had to respond in one way or another to the sanctions imposed against it. We believe sincerely that the sanctions should be maintained and even intensified. That is the only thing the racist régime understands. We hope that, in the light of the message of the Security Council and the international community that has borne this fruit from the South African régime, the Security Council will agree that it should invoke its powers under the Charter and show the same stick to the occupying Power in Israel, so that we can have peace in Palestine. Then our comrades-in-arms from South Africa would come to Jerusalem to join with us in a land of freedom and peace, in the land of Palestine.

The CHAIRMAN: I now invite the representative of the African National Congress of South Africa, Mr. Nathaniel Masemola, to make a statement.

Mr. MASEMOLA (African National Congress of South Africa (ANC)): We are gathered together on this historic occasion to honour the memory of the martyrs of Sharpeville. Thirty years ago today, a few thousand ordinary and unarmed black men, women and children assembled outside the police station in Sharpeville township just outside the town of Vereeniging in South Africa in order to protest against the pass laws that restricted much of their day-to-day lives. As the world knows, their peaceful protest was met with bullets - some observers say dum-dum bullets - in their backs. Sixty-nine died and hundreds were severely wounded. Survivors carry their scars to this day. We salute them. We condemn the apartheid régime that killed and maimed those innocent people. Their sacrifice was not in vain. The freedom torch they lit has been handed down through the years to a new generation of freedom-fighters. But, of course, times have changed, and a climate that is more favourable to the freedom for which they died now prevails.

Internationally, there is a thaw in East-West relations. In Eastern Europe, old nation-States are renewing themselves in an unprecedented manner. Namibia, the last classic colony in Africa, is free at last, thus leaving South Africa as Africa's only colony, albeit a colony with a difference. After two decades of bitter armed conflict between the forces of apartheid colonialism and those of the gallant people of Namibia, that country is now forever free as an independent sovereign State among the nations of the world. We join the international community in saluting these heroic people, their Government, their President Comrade Sam Nujoma and the South West Africa People's Organization (SWAPO) for scoring such signal victories. The defeat of apartheid in Namibia augurs well for its defeat inside South Africa itself.

(Mr. Masemola, ANC)

Thanks to the efforts of our people, assisted consistently over the years by the international community, the Pretoria régime is at last showing signs of a readiness to talk to the authentic leaders of our people. After nearly 28 years of imprisonment, Nelson Rolihlahla Mandela, Walter Sisulu, Govan Mbeki and others are now free to take their proper places of leadership amongst our people. The African National Congress and other political organizations have been un-banned; the state of emergency has been modified in part.

The ANC has taken advantage of this climate to relocate its headquarters from Lusaka in Zambia to Johannesburg in South Africa. It has also resolved to set up regional structures inside South Africa and to repatriate thousands of its members back home. That is a major exercise which will need the assistance of individual Member States as well as of the Organization.

Those developments have not taken place because the Pretoria régime has undergone a change of heart on the road to Damascus. Those changes have happened because of the determined struggle of our people and of the international community. It is for that reason that we call upon the international community to maintain and, indeed, intensify the pressure of comprehensive sanctions against the régime, for, as Nelson Mandela pointed out recently, to lift sanctions at this stage would be to abort the process towards a negotiated settlement of the South African conflict. Accordingly, we deeply regret and condemn the unfriendly decision of the British Government unilaterally to lift some sanctions against Pretoria in contemptuous disregard of its obligations embodied in the Declaration adopted by consensus in December 1989 at the sixteenth special session of the General Assembly.

(Mr. Masemola, ANC)

Twenty-two days from now, on 11 April, a delegation of the ANC, led by Nelson Mandela, will meet President De Klerk and his team to discuss the removal of obstacles to negotiations aimed at breaking the apartheid log-jam. In this regard our demands are clear. They were spelt out succinctly in the Harare Declaration in August 1989, which has since been adopted by the members of the Non-Aligned Movement, noted by the Commonwealth countries at Kuala Lumpur in October 1989 and adopted by the sixteenth special session of the General Assembly on 14 December of that year.

But only the Pretoria régime can create conditions conducive to successful negotiations over the dismantling of apartheid and the establishment of true democracy in our country. Simply stated, that régime must withdraw its soldiers and their heavy armoury from our defenceless townships. It is unacceptable that armed soldiers should be billeted on unarmed and peace-loving and peaceful civilians in time of peace in their own country. We cannot negotiate under duress or military threats from the South African Defence Force - in fact, that is a misnomer, because it is a South African offensive force. Soldiers should defend national borders against armed invasion by armies of foreign countries. Soldiers should not be used to suppress rights, freedoms and liberties of the citizens.

Secondly, the régime provoked the state of unrest in our country by introducing a tricameral constitution in September 1984 that excluded the African people, and only the African people, from Parliament. The régime should have foreseen the consequences of its folly and avoided them, not by establishing a fourth and separate parliament for Africans but by opening the doors of the one Parliament to all the people of South Africa, irrespective of race, colour, creed, religion, sex, status or national origin. Predictably, we have been living under a state of emergency ever since. That artificial state of emergency must now go. We

(Mr. Masemola, ANC)

must be free to consult our people across the length and breadth of our country on the burning political issues of the day.

Thirdly, the remaining 3,000-odd political prisoners must be freed at once. It will not do for the régime to criminalize their political activities and then use that as an excuse for keeping them in prison long after our national leaders and the political organizations at whose behest they acted as they did have been released from prison or unbanned. Those prisoners must be freed. They are among the most dedicated and outstanding political leaders of our people. They, with all of us, need to consult our constituents before any negotiations can take place. Only such comprehensive consultations can give legitimacy to the results of future negotiations with Pretoria.

Fourthly, Pretoria must stop all political trials and all political executions. We cannot sit down to negotiate when across the road our comrades on death row are being executed. That is impossible.

Fifthly, a general amnesty must be granted to all exiles to enable them to return home to participate in the negotiations. No serious negotiations can take place with Pretoria without the full participation of Oliver Tambo, our President, and his colleagues in exile. Those leaders have borne the brunt of war for three decades. They have earned a place around the conference table. Without them, negotiations will be like acting Hamlet without the Prince of Denmark. Such negotiations will be an empty sham.

Once those five pre-conditions are met, negotiations will begin in earnest between the ANC and other forces of democracy, on the one hand, and the Pretoria régime, on the other. It is essential to restate what the negotiations will be about: negotiations, when they begin, will not be about reforming or amending or tinkering with apartheid. Christian leaders have pronounced apartheid to be an

(Mr. Masemola, ANC)

unreformable sin and a heresy to be exorcized. The United Nations itself has declared apartheid a crime against humanity. Those words were last heard at Nuremberg in 1946. Clearly, a crime of such proportions cannot be reformed or amended. It can only be abolished, root and branch. That is what negotiations must be about, namely, the total abolition or dismantling of apartheid and, logically, the modalities for the transfer of total State power from the minority to the majority. This is what democracy is all about: it is - without prejudice to the rights of the minority - unquestionably government of the majority of the people for the benefit of the majority of the people by representatives of the majority of the people. This is the bottom line of what negotiations are about.

Translated into legal terms, this means that the tricameral parliament must go. Bantustans must be abolished and our people there reintegrated, as is their natural right, into a free, post-apartheid South Africa. The obnoxious, so-called Natives Land Acts of 1913 and 1936, supplemented by the Group Areas Act and various resettlement schemes, must be repealed, and our people must be given back their lost lands. All so-called security laws must be repealed. Bantu education, which has sought to warp and distort the minds of our people these many years, must go. Indeed, all apartheid laws enacted - especially since May 1948 - must be repealed. On the ashes of the apartheid State must be built a new, unified, unitary, non-racial, non-sexist democratic State and society of equal citizens who will have no regard in their relations with one another to the skin colour, race, religion, status, national origin, class or sex of their fellow human beings.

We invite our white compatriots to join us in building a new political order, a new constitutional order, a new economic order, a new social and cultural order, based on those universal principles.

The CHAIRMAN: I now call upon the representative of the Pan Africanist Congress of Azania (PAC), Mr. Count Pietersen, to make a statement.

Mr. PIETERSEN (Pan Africanist Congress of Azania (PAC)): We have assembled here once more on this solemn occasion to commemorate the thirtieth anniversary of the massacre of unarmed and defenceless Africans at Sharpeville and Langa in racist South Africa on 21 March 1960, a day the United Nations and the international community have, since 1966, observed as the International Day for the Elimination of Racial Discrimination.

(Mr. Pietersen, PAC)

On behalf of the Pan Africanist Congress of Azania, the custodian of the genuine aspirations of the oppressed, exploited, discriminated against and dispossessed people of Azania, allow me to convey to the Special Committee against Apartheid the sincere gratitude of our people for annually observing 21 March as International Day for the Elimination of Racial Discrimination. The annual observance by the Special Committee against Apartheid has greatly contributed to focusing international attention on the plight of our people and the legitimacy of our struggle for national liberation and self-determination.

I also want to take this opportunity to apologize to the Special Committee on behalf of Mr. Abrahams Mdlalifa, a survivor of the Sharpeville massacre, who was looking forward to testifying before this lofty body about the shootings at Sharpeville on 21 March 1960. He and Mr. Joseph Mofolatsi, another survivor of the historic Sharpeville event of March 1960, were forced to cancel their journey to New York to appear before this body because of the current struggle taking place in the Vaal Triangle, where Sharpeville is situated, and in the so-called homelands.

Despite the unrest, and harassment by the racist police and their agents, countrywide meetings are being held in Azania to commemorate the thirtieth anniversary of the positive action campaign of the Pan Africanist Congress of Azania which resulted in the massacres at Sharpeville and Langa on 21 March 1960. That is one more indication of the determination of the oppressed people in Azania to achieve their freedom through the only means left to them.

The shootings at Sharpeville demonstrated that peaceful means could never work against the ruthless racist régime in our country. At Sharpeville itself this morning a big rally is being held, addressed by the President of the PAC, Mr. Zephaniah Mothopeng, and by Mr. Jeff Masemola.

(Mr. Pietersen, PAC)

In supporting the commemorative activities taking place in Azania the PAC also renews its pledge to accelerate the struggle and the complete involvement of all the people in the struggle. We promise our people that we shall always be with them. We draw inspiration from those men and women who laid down their lives at Sharpeville, as well as all those others who also laid down their lives for our struggle for liberation.

The PAC appreciates the solidarity shown by the international community by annually observing 21 March and by annually contributing to the United Nations Trust Fund for South Africa and the United Nations Trust Fund for publicity against apartheid.

Permit us once more to put the record straight once and for all, not only for our own sake as a party but for the sake of history and of posterity, for we of the PAC consider doing so extremely important.

The dispossessed people of Azania have a long and proud history of militant struggle, particularly against the hated pass laws, which were first introduced in racist South Africa in 1909. It is a fact of history that at the PAC's first National Conference held in Soweto on 19 and 20 December 1959, a decision was taken to challenge the obnoxious pass laws at the beginning of 1960. The founder President of the PAC, Mangaliso Robert Sobukwe, was mandated to announce the launching of this decisive and final positive action campaign for the total abolition of the pass laws. It was he who chose and announced 21 March 1960 as the day of reckoning.

That was part of a deliberately designed unfolding programme of action by the PAC, which has subsequently been followed by the launching of armed struggle in 1961 and the Soweto uprising of 1976, which in turn led to the notorious Bethel secret trials of our national President and 17 other leaders of the PAC.

(Mr. Pietersen, PAC)

Comrade Mothopeng was sentenced to 30 years' imprisonment; he was released unconditionally last year, after serving 12 years of the sentence.

Prior to the 21 March 1960 PAC-led campaign, there were other anti-pass-laws campaigns. But the PAC-led 21 March 1960 campaign was qualitatively and quantitatively different from past anti-pass-laws campaigns.

The 21 March 1960 PAC-led campaign was not a mere protest campaign. The slogan under which the PAC leadership launched the 21 March 1960 campaign was: "No defence, no bail and no fine". This slogan alone reflected a new political approach and attitude; it reflected a conscious and principled rejection of the Fascist-colonial status quo in apartheid South Africa. The PAC founder President, Mr. Mangaliso Robert Sobuckwe, was the first African political leader in modern times to tell the oppressors that the dispossessed people of Azania did not recognize the status quo and, therefore, would offer no defence and pay no fine.

The date 21 March will always be honoured by the dispossessed people of Azania and by freedom-loving peoples everywhere. It represents a turning-point in the history of our struggle for national liberation and self-determination.

The Pan Africanist Congress of Azania, under the dynamic leadership of Mangaliso Robert Sobukwe, called upon the African masses to leave their hated passes at home and surrender themselves at the nearest police station for arrest. Strict instructions were laid down to ensure that the anti-pass-laws campaign was peaceful and non-violent and part of the positive action campaign of the PAC. On the morning of 21 March 1960 Mangaliso Sobukwe led a group of followers to the Orlando Police Station in Soweto who offered themselves for arrest, refusing to carry the despised dehumanizing pass.

(Mr. Pietersen, PAC)

In Sharpeville, in response to the PAC's call, 9,000 people converged on the police station. Tear gas failed to disperse the crowd, and the police subsequently used baton charges to try to disperse them. Instead, the crowd swelled to almost 25,000. Comrade Nyakane, a PAC leader, explained to the police that those in the crowd had no reference books and demanded to be arrested. According to a Commission report, the crowd was not hostile, nor did it carry sticks or stones. At 12.45 p.m. police reinforcements arrived. Police forced their way through the crowd with Saracen armoured cars. Tension increased as a result of the police action.

An hour later a Major Van Zyl, a district police commander, showed the crowd by opening his hand that he was giving it five minutes to disperse or face bullets. A few minutes later the police started shooting and the crowd was running in all directions. Sixty-nine people, including 8 women and 10 children, were shot and killed. Most of them were shot in the back while running away from the police. A further 180 Africans were wounded.

We shall always remember 21 March 1960 as a day in the history of our struggle which strengthened the masses of our people further to wage by all means necessary their struggle for national liberation and self-determination.

On this 30th anniversary of the shootings at Sharpeville I am proud to say that all those sons and daughters who died at Sharpeville, Langa, Guguletnu, Uitenhage, Soweto and elsewhere did not die in vain. In fact, I have just received an extract from a Johannesburg newspaper published this morning, in which one person who was involved testifies that he is just as determined as he was in 1960.

(Mr. Pietersen, PAC)

It says:

"In March 1960 the Pan Africanist Congress, led by the President, organized a campaign against passes. In Sharpeville, where people were shot, one of the survivors ... this week recalled the events leading to this fateful day."

That survivor told the newspaper:

"A week before officials of the Pan Africanist Congress moved from house to house telling people not to go to work on Monday but to report to the police station and demand to be arrested for not having reference books. This went on the whole week, these PAC people telling us why we should surrender ourselves. I was not a member of the PAC but I responded to the call. On Monday morning we went to the police station round about 8.30. There were thousands of us outside the police station. Some leaders of the PAC were also there. They were talking to the police. One leader came to tell us to remain calm, as the police officers had told them that they were waiting for the Government to tell them what to do. As we waited we saw some people burn their pass books. Saracens - armoured cars - arrived. About noon we were told to go to Sharpeville sports ground. We refused. As we waited, police lined up in the police yard. Many of us were pressed to the fence. A certain policeman ... told the leaders to tell the people to go away. Then guns chattered. We ran in all directions. I was hit on the right thigh. I fell and was later taken to the ... police station. After nine months in detention I was released when found not guilty. But today I still want to continue the struggle for liberation."

(Mr. Pietersen, PAC)

In conclusion, we, the oppressed people of Azania, suffer like our brothers in occupied Palestine. I want to take this opportunity once more to salute the intifadah and the struggling people of occupied Palestine, under the leadership of the Palestine Liberation Organization (PLO). The struggle of the people of Palestine and the struggle of the people of Azania is one struggle. Their problems, both apartheid and occupied Palestine, were created in Great Britain, so they are two sides of the same coin.

We of the PAC also call upon the international community to ask the United Nations, and particularly the United States Administration, which acts as godfather of the Zionists in occupied Palestine, to demand an end to the collaboration between the Zionists and the racists.

The CHAIRMAN: We have just heard the last speaker in our meeting today. I wish to inform those present that on the occasion of the International Day many Heads of State or Government have graciously sent messages to the Special Committee. The total number of all messages received was 52. Messages have been received from the Heads of State or Government of the following countries: Afghanistan, Antigua and Barbuda, Bangladesh, Bolivia, Brazil, Chile, China, Cyprus, Egypt, Ghana, Guinea, Guyana, Indonesia, Jamaica, Malaysia, Maldives, Mali, Pakistan, the Philippines, Romania, Senegal, Seychelles, Sierra Leone, the Sudan, Thailand, Tunisia, Uganda, Uruguay, Viet Nam and Yugoslavia.

Messages have been received from Ministers of Foreign Affairs and other governmental officials of the following countries: Argentina; the Democratic People's Republic of Korea; Hungary; Ireland, on behalf of the 12 member States of the European Community; Israel; the Libyan Arab Jamahiriya; Madagascar; Morocco; the Republic of Korea; South Africa, for the first time; Trinidad and Tobago; Turkey, the Ukrainian Soviet Socialist Republic; and Venezuela.

(The Chairman)

Messages have also been received from the following intergovernmental and international and national non-governmental organizations: African-Asian People's Solidarity Committee of Bulgaria; Afro-Asian Peoples' Solidarity Organization; Organization of the Islamic Conference; Polish Committee for Solidarity with the Peoples of Asia, Africa and Latin America; Solidarity Committee of the German Democratic Republic; Soviet Afro-Asian Solidarity Committee; United Nations Educational, Scientific and Cultural Organization; and Women's International Democratic Federation.

I suggest that, in accordance with established previous practice, and taking into account the usual financial implications, the texts of those messages be published as a document of the Special Committee against Apartheid.

It was so decided.

The CHAIRMAN: Following past practices, at this stage of the meeting of the Committee we would have announced pledges by Governments to trust funds and programmes of assistance to southern Africans. This year, as members are aware, the pledging conference is scheduled to take place at a later date, on 19 April 1990. The Special Committee is certain that on that occasion many donor countries will again generously lend their assistance to funds and programmes for southern Africa.

In concluding today's observance, I should like to express once again our great appreciation to all the participants in our solemn meeting for their clear demonstration of support for and solidarity with the oppressed people of South Africa. The Special Committee intends to see this solidarity translated into concrete action by all segments of the international community along the lines of the provisions enshrined in the Declaration adopted at the sixteenth special session of the General Assembly.

In this connection we call on all Governments, United Nations bodies, intergovernmental organizations, anti-apartheid movements and other organizations, as well as concerned individuals, to intensify concerted action and campaigns against apartheid - action that will facilitate and accelerate the implementation of that Declaration.

The meeting rose at 12.50 p.m.